



June 14, 1999

Mr. John Steiner  
Division Chief  
City of Austin  
P.O. Box 1546  
Austin, Texas 78767-1546

OR99-1648

Dear Mr. Steiner:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 126395.

The City of Austin Police Department received a request for “the frequency used by Austin police SWAT officers.” You seek to withhold the requested information under section 552.108 of the Government Code.

Section 552.108(b)(1) exempts from required public disclosure

(b) An internal record or notation of a law enforcement agency or prosecutor that is maintained for internal use in matters relating to law enforcement or prosecution . . . if:

(1) release of the internal record or notation would interfere with law enforcement or prosecution[.]

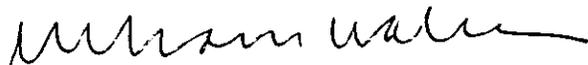
You advise that the requested frequency used by Austin Police SWAT Officers is for internal use only, that its release would permit certain perpetrators of crimes to avoid detection by monitoring communications on the frequency and anticipating the actions of law enforcement personnel. Based on your representations, we conclude that you may withhold the information at issue under section 552.108(b).

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts

Mr. John Steiner - Page 2

presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "William Walker". The signature is fluid and cursive, with a long horizontal stroke at the end.

William Walker  
Assistant Attorney General  
Open Records Division

WMW/eaf

Ref.: ID# 126395

encl. Submitted documents

cc: Mr. Charles Castillo  
News 8 Austin  
12012 North MoPac Expressway  
Austin, Texas 78758  
(w/o enclosures)